

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE SOUTHERN DISTRICT OF TEXAS
HOUSTON DIVISION**

| | | |
|--------------------------------------|---|-------------------------|
| IN RE: | § | |
| | § | |
| SKYPORT GLOBAL | § | CASE NO. 08-36737-H4-11 |
| COMMUNICATIONS, INC., | § | (Chapter 11) |
| Debtor | § | |
| <hr/> | | |
| JOANNE SCHERMERHORN, JOHN K. | § | |
| WAYMIRE, ET AL., | § | |
| PLAINTIFFS | § | |
| | § | |
| VS. | § | ADVERSARY NO. 10-03150 |
| | § | |
| CENTURYTEL, INC. (A/K/A CENTURLINK), | § | |
| CLARENCE MARSHALL, ET AL, | § | |
| DEFENDANTS | § | |
| <hr/> | | |
| SKYPORT GLOBAL | § | |
| COMMUNICATIONS, INC., ET. AL | § | ADVERSARY NO. 10-03225 |
| PLANITIFFS | § | |
| | § | |
| VS. | § | |
| | § | |
| JOANNE SCHERMERHORN, ET. AL. | § | (CONSOLIDATED UNDER |
| DEFENDANTS | § | ADVERSARY NO. 10-03150) |

**ORDER DIRECTING THE JOANNE SCHERMERHORN ET AL TO PAY \$17,800.29
TO HOOVER SLOVACEK LLP BY OCTOBER 31, 2010**

On May 27, 2010, the Court conducted a hearing on the Application for Temporary Injunction filed by the law firm of Hoover Slovacek, LLP (“HSLLP”) on behalf of Defendants Skyport Global Communications, Inc., Robert Kubbernus and Balaton Group, Inc. (collectively, the “HSLLP Defendants”). At the conclusion of the hearing, the Court granted the preliminary injunction and determined, among other things, that plaintiffs Joanne Schermerhorn, *et al* (the

“Schermerhorn Plaintiffs”) should be sanctioned at least in the amount of the reasonable legal fees and expenses incurred by the HSLLP Defendants.

The Court, therefore, ordered the HSLLP Defendants to submit their legal fees and expenses to the Schermerhorn Plaintiffs and for the Schermerhorn Plaintiffs to file a certificate indicating whether or not they considered them reasonable.

On July 1, 2010, the Schermerhorn Plaintiffs submitted a certificate indicating that the fees and expenses incurred by the HSLLP Defendants for the period running from May 13, 2010 through June 9, 2010 in the total amount of \$17,800.29 were reasonable. (Doc. 112)

On August 3, 2010, the Court conducted a hearing on the reasonableness of fees and expenses at which hearing counsel for the Schermerhorn Plaintiffs stipulated that the HSLLP fees and expenses were reasonable.

On August 11, 2010, the Court entered an order finding that the fees and expenses incurred by the HSLLP Defendants in the amount of \$17,800.29 are reasonable. (Doc. 158)

On October 15, 2010, during hearing conducted in the above-styled litigation the Court directed counsel for the HSLLP Defendants to submit an order directing that the Schermerhorn Plaintiffs pay such \$17,800.29 to HSLLP on or by October 31, 2010.

Based on the foregoing, it is therefore

ORDERED that the Schermerhorn Plaintiffs are jointly and severally liable to the HSLLP Defendants for \$17,800.29; and it is further

ORDERED that on or by October 31, 2010, the Schermerhorn Plaintiffs shall pay the HSLLP Defendants such \$17,800.29, care of Ed Rotherberg, 5847 San Felipe, Ste. 2200, Houston, Texas 77057.

DATED: October __ 2010.

UNITED STATES BANKRUPTCY JUDGE

AGREED AS TO FORM AND CONTENT:

HOOVER SLOVACEK, L.P.

By: /s/ Annie Catmull
EDWARD L. ROTHBERG
State Bar No. 17313990
5847 San Felipe, Ste 2200
Houston, Texas 77057
(713) 977-8686
(713) 977-5395 (fax)

ATTORNEY FOR HSLLP DEFENDANTS

AGREED AS TO FORM ONLY

McFALL, BREITBEIL & SHULTS, P.C.

No signature authorized by counsel¹
W. STEVE SMITH
State Bar No. 18700000
1331 Lamar Street, Suite 1250
Houston, Texas 77010
(713) 590-9300
(713) 590-9399 (fax)

SAMUEL GOLDMAN & ASSOC.

No signature authorized by counsel
SAMUEL GOLDMAN
100 Park Ave., 20th Fl.
New York, NY 10017
(212) 725-1400
(212) 725-0805 (fax)

¹ Annie Catmull circulated this order for approval by counsel for Joanne Schermerhorn et al on October 21, 2010. At the time of submission of this order to the Court no signatures or proposed revisions has been received in response.

THE FRYAR LAW FIRM

No signature authorized by counsel

F. ERIC FRYAR

State Bar No. 07495770

1001 Texas Ave., Suite 1400

Houston, Texas 77002

(281) 715-6396

(281) 715-6397 (fax)

ATTORNEYS FOR SCHERMERHORN PLAINTIFFS